

REMARKS

Claims 1-14 and 16-51 are pending in the application.

The declaration filed on March 20, 2006 under 37 CFR 1.131 has been deemed ineffective to overcome the Anderson (US 6,442,600) reference. All pending claims have been rejected under 35 USC 103(a) as being unpatentable over Anderson in view of Smith et al. (US 6,282,564).

Applicants respectfully traverse.

The Anderson reference was filed on January 15, 1999 and was issued on August 27, 2002. Therefore, this reference is being cited as 102(e) art and is thus eligible to be overcome based upon an affidavit or declaration from an inventor pursuant to 37 CFR 1.131. See MPEP Section 715.

The June 6, 2006 Office Action noted that the Declaration submitted in a previous Response failed to overcome the Anderson reference because it merely made general allegations that the invention was complete prior to the date of the reference without a statement of facts demonstrating the correctness of this conclusion.

Specifically, the Examiner asserts that an embodiment of the table in claims 13-14 and 16-20 is not the history table being addressed in the declaration in paragraph 3-6 or in the exhibits. In addition, paragraph 3-6 and exhibits do not mention or support an embodiment of the work list table in claims 21-22, 9-12, 18-20 and 51. Lastly, paragraphs 3-6 and exhibits do not clearly shows an embodiment having locations in the history table which indicate where the information is accessed by first and second consumers. Applicants respectfully disagree.

The declaration and exhibits do show the embodiment of the table of claims 13-14 and 16-20. The declaration and exhibits illustratively show a "table comprising one or more table records, each said table record comprising an identification of said information in an information queue record,

each said table record further comprising a consumer identification field comprising an identification of one of said one or more consumers, and a message state field for indicating whether one of the one or more information queue records has been accessed by one of the one or more consumers.”

For example, these claimed features are shown in the data structure of the history index IOT of Section 3.4.1 of Exhibit A. In one embodiment, the identification of the information is the msgid; the consumer identification field is the consumer_name; the message state field is the txn_id. Therefore, the exhibit illustratively shows the history table as claimed.

The declaration and exhibits do show an embodiment of the work list table in claims 21-22, 9-12, 18-20 and 51. The declaration and exhibitions illustratively show the work list table as a time-manager index IOT of section 3.4.1 of Exhibit A. In one embodiment, the work item table illustratively shown in FIGs. 16 and 17 of the present application may includes the same fields as the time-manager index IOT, which includes a plurality of columns such as time, msgid and action fields. Therefore, the exhibit illustratively shows the work list table as claimed.

The declaration and exhibits do clearly show an embodiment of the locations in the history table which indicate information is accessed by first and second consumers. The declaration and exhibits illustratively show, for example, the msgid, consumer_name and txn_id columns. This history index illustratively shows one example of the history table indicating information accessed by the consumers. For example, these fields can show the consumer's transaction and the corresponding message. Therefore, the exhibit illustratively shows the history table indicating customers accessing information.

For at least the above reasons, it is respectfully submitted that Anderson cannot be used to anticipate or render obvious the claimed subject matter.

Therefore, the combination of Anderson and Smith cannot be used to render the pending claims obvious. Moreover, it is respectfully noted that Applicants do not acquiesce in the basis of the rejection, e.g., there is insufficient motivation to combine the cited references to arrive at the claimed subject matter and that even if a combination is made, the resulting combination does not include all elements of the claimed invention.

CONCLUSION

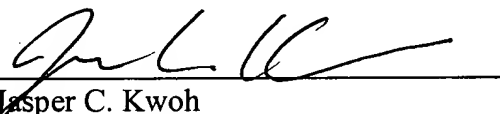
Based on the foregoing, all remaining claims are believed allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. **50-2518**, referencing billing number **7011472001**. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. **50-2518**, referencing billing number **7011472001**.

Respectfully submitted,

Bingham McCutchen LLP

Dated: 11/6/06

By: 
Jasper C. Kwok
Reg. No. 54,921

Bingham McCutchen LLP
Three Embarcadero Center
San Francisco, California 94111
Telephone: (650) 849-4820
Facsimile: (650) 849-4800